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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/811,994	03/19/2001	Hatem Oueslati	PALM-3615.US.P	9601

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EXAMINER	
NANO, SARGON N	

ART UNIT	PAPER NUMBER
2157	

DATE MAILED: 12/29/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/811,994	OUESLATI ET AL.	
	Examiner	Art Unit	
	Sargon N. Nano	2157	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *19 March 2001*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-23* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-23* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. This action is responsive to RCE filed on Oct. 11, 2005. Claims 1-23 are pending examination. Claim 1 is amended, claims 21 – 23 are newly added. Claims 1 – 23 are pending examination.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

3. Claims 1, 6, 7, 13 ,19 – 21 and 23 are rejected under 35 U.S.C. 102(e) as being anticipated by Gai et al., U.S Patent No. 6,651,101 (referred to hereafter as Gai).

Gai teaches the method and apparatus for identifying network data traffic flows and for applying quality of service treatment to the flows, Gai teaches the identification of specific traffic flows originating from a given network entity and requests applies appropriate policy rules or service treatments to the traffic flows (see abstract).

As to claims 1, 13, 21 and 23 Gai teaches a method of communication, a protocol , a system and a machine - readable medium comprising the steps of:

a) sending application resident on a first computer system selecting a

transport mechanism and passing data having a first data type to a first utility program resident on said first computer system; (see col. 5 line 65 – col. 6 line 42 and fig. 4A, Gai discloses sending an application residing on a server to a middleware).

b) said first utility program, adding a token ,a first category type identifier corresponding to said first data type and a first data type identifier corresponding to said first data type, to said data to form an information packet and then , transparently to said sending application, using said transport mechanism to transmit said information packet to a second computer system (see col. 7 line 65 – col. 8 line 14 , Gai discloses application identifier upon the start up call);

c) a second utility program, resident on said second computer system,

locating said first data type identifier and said first category type identifier in said information packet using said token, (see col.16 lines 21- 47, Gai discloses packets received at the policy enforcer and examined according to certain policy rules).

d) said second utility program indexing a relevant one of the plurality of category types corresponding to said category type identifier of an application registry with said first data type identifier to determine a destination application that is associated with said first data type identifier(see col. 15 line 49 – col. 16 line 8, Gai discloses the classification and management rule of the data packets in traffic flow); and

e) supplying said data to said destination application. (see col. 11, lines 9 – 20 Gai discloses sending anticipated traffic flow to a destination address).

As to claims 6 and 19, Gai teaches the method and system of claims 1 and 13 respectively where category types comprises a MIME and an application Creator category (see col. 10 lines 8 – 37, Gai discloses different aspects of information flow such as MIME).

As to claims 7 and 20 Gai teaches the method of claim 1 where in said first category type identifier is numeric value (see col. 8 lines 9 - 15.Gai discloses the version number that corresponds to the version of the software used).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

5. Claims 2 – 5, 8–12, 14 – 18 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gai and further in view of Fox et al, US Patent No. 6654786 (referred to hereafter as Fox).

As to claims 2 and 14, Gai teaches a communication protocol comprising the steps of:

sending application resident on a first computer system, adding a token,

locating said data type identifier , indexing relevant category of an application registry and supplying said data packet to said destination application. (see rejection of claim 1).

Gai does not explicitly teach a communication protocol wherein first computer system and second computer system are portable computer systems whereas Fox teaches first computer system and second computer system are portable computer systems (see col.3, lines 42-51). It would have been obvious to one of the ordinary skill in the art at the time of the invention to include portable computer systems in Gai because doing so would allow the users to connect from a different geographical location.

As to claims 3 and 15, Fox teaches first computer system and second computer systems are hand held portable systems (see fig.1 and col. 3. lines 42-51).

As to claims 4 and 16, Gai does not explicitly teach. A communication protocol as wherein transport mechanism is substantially compliant with the Short Message Service (SMS) standard, where as Fox teaches a communication protocol as wherein transport mechanism is substantially compliant with the Short Message Service (SMS) standard (See col.2 lines 42-55). It would have been obvious to one of the ordinary skill in the art at the time of the invention to include the Short Message Service (SMS) standard in Gai invention to receive brief messages including text and numerals which requires less processing capability to process and therefore less time and resource utilization.

As to claims 5, 17 and 18, Fox teaches a communication protocol wherein transport mechanism includes the use of a GSM wireless communication

device. (See fig.1 and col. 2. lines 42-51).

As to claim 8, Gai teaches a communication protocol comprising the steps of:

a) sending application resident on a first computer system selecting a wireless transport mechanism and passing data having a given data type to a first utility program resident on said first computer system; (see col. 4, lines 23-32).

b) said first utility program, adding a token, a first category type identifier corresponding to said given data type, and a first data type identifier corresponding to said given data type, to said data to form an information packet and the, transparently to said sending application, using said wireless transport mechanism to transmit said information packet to second computer system;

c) a second utility program, resident on said second portable system,

locating said first data type identifier in said information packet using said token, (see col.4, lines 51-59).

d) said second utility program indexing a relevant one of a plurality category types corresponding to said first category type identifier of said application registry with said first data type identifier, to determine a destination application that is associated with said first data type identifier, (see col.4, lines 51-59) , and

e) supplying said data packet to said destination application. (See col.4, lines 51-59).

Gai does not teach a wireless transport mechanism. However Fox teaches wireless transport mechanism (see fig.1, fig.2 and col.3 lines 41-51). It would have

been obvious to one of the ordinary skill in the art at the time of the invention to include wireless transportation mechanism to allow the connection from a different geographical location.

As to claim 9, Fox teaches first computer system and second computer systems are hand held portable systems (see fig.1 and col. 3. lines 42 - 51).

As to claim 10, Gai does not explicitly teach a communication protocol as wherein transport mechanism is substantially compliant with the Short Message Service (SMS) standard, where as Fox teaches a communication protocol as wherein transport mechanism is substantially compliant with the Short Message Service (SMS) standard. (See col.2 lines 42-55). It would have been obvious to one of the ordinary skill in the art at the time of the invention to include the Short Message Service (SMS) standard in Gai invention to convert unproductive time to productive time.

As to claim 11, Fox teaches a communication protocol wherein transport mechanism includes the use of a GSM wireless communication device. (See fig.1 and col. 2. lines 42-51).

As to claim 12 Gai teaches the system of claim 8 where in said first category type identifier is numeric value (see col. 8 lines 9 – 15).

Response to Arguments

6. Applicant's arguments filed have been fully considered but they are not persuasive. Applicant argue in substance that A) Gai et al does not disclose the first category identifier and B) Gai does not disclose first data identifier. Examiner interprets the first category identifier as a transaction type which Gai discloses as data information

regarding user name, user department print and the first identifier as a subtransaction such as a print job on a HP laser jet printer (see Gai col. 10 lines 8 - 25).

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sargon N. Nano whose telephone number is (703) 305-4651. The examiner can normally be reached Monday through Friday, from 8:30 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (703) 308-7562. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Sargon Nano
Dec. 12, 2005

ARIO ETIENNE
SUPERVISORY PATENT EXAMINER